

1981 WL 158120 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 2, 1981

*1 Wallace Oswald
Chief
Batesburg Police Department
P.O. Box 429
Batesburg, S.C. 29006

Dear Chief Oswald:

In a letter to this office you questioned whether a private vehicle must be expressly designated as an 'authorized emergency vehicle' by a police chief prior to its being determined to be such.

[Section 56-5-170, Code of Laws of South Carolina](#), 1976, as amended, states:

'(f)ire department vehicles, police vehicles, ambulances and rescue squad vehicles which are publicly owned, other emergency vehicles designated by the Department or the chief of police of a municipality, and public and private vehicles while transporting individuals actually engaged in emergency activities because of the membership of one or more occupants of a fire department, police department or rescue squad are 'authorized emergency vehicles.' (Emphasis added.)

Inasmuch as the definition expressly provides that private vehicles occupied by a member of a fire department, police department, or rescue squad 'while transporting individuals engaged in emergency activities' are authorized emergency vehicles, in the opinion of this office, it is not necessary that a police chief further expressly designate such vehicles as such.

With best wishes.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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